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7 KEVIN BELL,
8 Plaintiff,
9 v.
10 WARDEN,
11 Defendant.

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13 Case No. 21-cv-00533-HSG
14 **ORDER OF TRANSFER**

15 Plaintiff, an inmate housed at Mule Creek State Prison (“MCSP”), filed this *pro se* civil
16 rights action pursuant to 42 U.S.C. § 1983. Plaintiff requests early release due to COVID-19, and
17 also makes the following allegations about the conditions of confinement at MSCP: he was housed
18 with a cellmate who was exposed to COVID-19 prior to moving into Plaintiff’s cell; correctional
19 officer Miller continued to work despite testing positive for COVID-19; correctional officer
20 Pendleton dragged him across the dayroom; and he was housed in a cell without water and without
21 a functioning toilet for days. Plaintiff has named as defendant “Warden”, which presumably refers
22 to the warden of MCSP. *See generally* ECF No. 7. The events or omissions giving rise to the
23 claim(s) occurred at Mule Creek State Prison, which is located in Amador County, which lies
24 within the venue of the Eastern District of California. *See* 28 U.S.C. § 84(c)(b). The warden of
25 MSCP likely resides in Amador County. There is no indication that he resides in the District of
26 Northern California. Venue therefore properly lies in the Eastern District. *See id.* § 1331(b).
27 Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. § 1406(a),
28 this action be TRANSFERRED to the United States District Court for the Eastern District of
California.

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1 The Clerk shall transfer this matter forthwith.

2 **IT IS SO ORDERED.**

3 Dated: 3/19/2021

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5 HAYWOOD S. GILLIAM, JR.
6 United States District Judge

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United States District Court
Northern District of California